UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

(1)   ANDREW CHABALLA, as Next of Kin of LAVERNE SOMERS, Deceased, and ANDREW CHABALLA as Administrator of the Estate of LAVERNE SOMERS
 	
               Plaintiffs,
v.
 	
(1)   SP HEALTHCARE MANAGEMENT LLC
 	
(2)   MIDWEST GERIATRIC MANAGEMENT, LLC
 	
(3)   JUDAH BIENSTOCK
 	
               Defendants.
	Case No. 5:22-cv-00772-F

JOINT MOTION TO EXTEND MEDIATION DEADLINE

COME NOW, all Parties, by and through their respective counsel of record and hereby file this Joint Motion on behalf of all Parties and request this Honorable Court to extend the mediation deadline in this matter. In support of this Motion, the Parties would show the Court as follows:

1.   On December 1, 2022, this Court entered a Scheduling Order in this matter. *See* Doc. #23.

2.   On December 21, 2023, the Court granted the Motions to Extend the scheduling order See Doc. #30.

3.   The parties have continuously conducted discovery in this matter in good faith.

4.   Throughout the course of Discovery, Defendants collectively have provided 4,826 pages of documents in response to discovery requests.

5.   Plaintiff has produced 1,132 pages of documents.

6.   To date, the parties have met and conferred on multiple occasions related to discovery disputes and supplemental responses and production which has led to additional documents produced and supplemental responses to discovery.

7.   Many additional pages of medical records have been received from other providers, with additional probable production still pending.

8.   Plaintiff has now provided Defendants with their expert reports and Plaintiff's deposition is now complete. Defendants' expert report(s) were provided on March 12, 2024, per the Scheduling Order. The parties are attempting to schedule Fed. R. Civ. P. 30(b)(6) corporate representative depositions and other fact witness depositions.

9.   The parties have been working diligently to schedule mediation. They have agreed to at least five different mediators, all of which did not have available mediation dates prior to March 15 that were also open for the four parties and their attorneys.

10.   The parties are in communication and expect to have the mediation occur prior to April 30, 2024.

11.   All counsel have conferred and agree to the need for the relief sought in the present motion.

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12.   This extension is not sought for the purpose of delay but to provide the parties sufficient time to evaluate and attempt to resolve this case.

13.   This Motion is made in the interest of justice and to allow the proper preparation of this case, and not for the purpose of delay or to unduly burden the Court's docket.

14.   The granting of this Motion will not cause prejudice to any party hereto nor will it cause any change to the Court's docket or delay in the Court's hearing of this matter.

WHEREFORE, the parties respectfully request this Court to amend certain deadlines as set forth above.

DATED: March 13, 2024.

Respectfully submitted,

[**signatures on following page**]

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